

Warren Lee

1 IN THE DISTRICT COURT OF GUAM

2 TERRITORY OF GUAM

3 ---

4 IN PROCEEDINGS BEFORE THE)
FEDERAL GRAND JURY;)

5 RE: FELTON MOSES, JR., aka)
6 CHELSEA PAGE, TONY EDWARD)
RICE, ASKIA TOURE SWIFT and)
7 MICHELLE VALERIE JAMES.)
8 _____)

9 VOLUME I

10 Partial transcript of proceedings before the FEDERAL
11 GRAND JURY, on Wednesday, July 12, 1995, at 238 Archbishop
12 Flores Street, Suite 504, Pacific News Building, Agana, Guam.

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15 WITNESS: WARREN ANTONIO LEE
16
17

18 APPEARANCES: JOHN GLANG
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1 MR. GLANG: We're back on the record in the case of
2 United States of America versus Felton Moses, Jr., et al.
3 It's now 3:30 p.m., July 12, 1995. Next witness, Warren
4 Antonio Lee. I ask that he rise and be sworn in at this time.

5

6 WARREN ANTONIO LEE,
7 having been first duly sworn, was
8 examined and testified as follows:

9

10 GRAND JURY FOREPERSON: State your full name and spell
11 your last name.

12 THE WITNESS: Warren Antonio Lee, L-E-E.

13 MR. GLANG: Have a seat, please.

14 THE WITNESS: (Complies.)

15

16 EXAMINATION

17 BY MR. GLANG:

18 Q Good afternoon. Could you tell us first of all
19 how old you are?

20 A 26.

21 Q Where are you from originally?

22 A I don't understand the question. Could you --

23 Q Well, where were you raised?

24 A Baltimore, Maryland.

25 Q And how old were you when you left there?

1 A 16.

2 Q Where did you live after Baltimore?

3 A New York.

4 Q And from New York where did you go?

5 A Los Angeles.

6 Q What did you do in L.A.?

7 A I auditioned, basically, for videos and things

8 like that.

9 Q Have you ever appeared on television programs?

10 A Yeah, once.

11 Q Which TV show was that?

12 A Totally Hidden Video.

13 Q Were you ever on Sesame Street?

14 A The live show.

15 Q You mean the a live --

16 A The live road show.

17 Q What were you doing on Sesame Street?

18 A I -- the character with Sesame Street road tour.

19 Q So you're an actor then?

20 A Actor/dancer.

21 Q What type of dancing?

22 A In that show?

23 Q No, just generally?

24 A Ballet.

25 Q And from L.A. did you live in San Francisco for

1 awhile?

2 A No.

3 Q How long did you live in Los Angeles?

4 A Three-and-a-half years.

5 Q What part of L.A. were you living in?

6 A From West Hollywood to Hollywood.

7 Q Okay. You're actually married, aren't you?

8 You've been formerly married?

9 A Yes.

10 Q In the Netherlands?

11 A Right.

12 Q And you have a homosexual lover?

13 A Yes.

14 Q And they allow same sex-marriages in Holland?

15 A Right.

16 Q What other countries do they allow same-sex

17 marriages in? Australia?

18 A There are plenty of others. I'm not exactly sure

19 Q But you've been married just once, then, in the

20 Netherlands?

21 A Correct.

22 Q Who are you married to?

23 A Ernie Alexander Jones.

24 Q When did you get married to him?

25 A We're not married.

1 Q I'm sorry. Weren't you married in the
2 Netherlands, to Ernie?
3 A I was married to Bert.
4 Q I'm sorry. You were married to somebody else?
5 A Right.
6 Q What's Bert's last name?
7 A Simon.
8 Q I see. What year was that?
9 A '91.
10 Q Okay. Were you divorced?
11 A No, you don't get divorced. It's just a ceremony.
12 Q Is the ceremony in the Netherlands the same as if
13 a heterosexual couple gets married?
14 A Kinda, sorta, yeah.
15 Q Okay. Now from L.A. did you come to Guam?
16 A Yeah.
17 Q What month and year was that, that you came from
18 L.A. to Guam?
19 A September '94.
20 Q Why did you come to Guam?
21 A To dance with Sand Castle.
22 Q Did you do that?
23 A Yes.
24 Q What shows did you dance in; what programs were
25 they?

1 A The Sand Castle show.

2 Q Which show was that?

3 A American Glitz.

4 Q How long did you dance in that American Glitz show

5 for?

6 A Until May of this year.

7 Q Why did you stop dancing in May? Did the show

8 stop?

9 A No, my contract was up for the next following

10 month, June, and I had a foot injury.

11 Q You had a foot injury?

12 A Correct.

13 Q How was your foot injured?

14 A How was it injured?

15 Q (Counsel nods head then inquires as follows:)

16 Dancing?

17 A I would assume, yeah, dancing. Correct.

18 Q What kind of contract did you have with them? How

19 much money were they paying you?

20 A Six-fifty a week.

21 Q Were you -- what were you doing in L.A. just

22 before you came to Guam; what kind of work?

23 A I wasn't.

24 Q What was the last job you had before you got a job

25 at the Sand Castle?

1 A (No response.)

2 Q Were you doing some sort of entertainment work in

3 Los Angeles?

4 A No. Lake Tahoe.

5 Q What were you doing there?

6 A A show there: high country rock.

7 Q What were you doing in the show?

8 A Dancing also.

9 Q How long did you do that for?

10 A That was for two months. The show closed.

11 Q Have you ever been arrested before?

12 A Yes.

13 Q Where?

14 A In Baltimore?

15 Q What were you arrested for?

16 A Bad check.

17 Q How much money was involved in the bad check

18 incident?

19 A \$600.

20 Q Okay. Did you go to court?

21 A Yeah.

22 Q Were you convicted or plead guilty?

23 A Misdemeanor, yeah.

24 Q Other than that do you have anything else on your

25 criminal record besides the bad check?

1 A That's it.

2 Q And this current situation?

3 A Correct.

4 Q Had you ever been to Guam before 1994, when you

5 came out here to dance for the Sand Castle?

6 A No.

7 Q When you came out here where were you living

8 originally?

9 A At Miramar Apartments.

10 Q Where is that?

11 A In Tumon.

12 Q What part of Tumon? Where in Tumon? Do you know

13 what it's near?

14 A Across the street from the Sand Castle.

15 Q And who were you living with there?

16 A I was living by myself.

17 Q How long did you live there for?

18 A Two months.

19 Q Where did you live next?

20 A Case de Isa Condominiums in Tumon.

21 Q What month was that, that you started living in

22 the Case de Isa?

23 A November.

24 Q Of '94?

25 A '94.

1 Q So you've been living there for about eight
2 months?
3 A Eight months, nine months.
4 Q Do you have a one-year lease?
5 A Two years.
6 Q Whose name is on the lease?
7 A Mine.
8 Q Only?
9 A Only.
10 Q What's the monthly rent there?
11 A Three thousand.
12 Q How many bedrooms are in your condo?
13 A Five.
14 Q Where is the condo located?
15 A Next to the Regency Hotel.
16 Q So it's on that hill directly above the Regency,
17 right?
18 A Right.
19 Q How many condos are in that entire complex?
20 A Seven.
21 Q When you moved into the Case De Isa, did you have
22 a roommate?
23 A Yeah. Yes.
24 Q Who was that?
25 A Greg Sumner.

1 Q What's his last name?
2 A Sumner, S-U-M-N-E-R.
3 Q Is he still living with you?
4 A No.
5 Q How long did he live with you for?
6 A Up until this incident happened. Until the first
7 of July.
8 Q Did he move out because of this arrest?
9 A No.
10 Q Was it just before --
11 A No, just -- the end of June.
12 Q So you were arrested the 5th of July, and he moved
13 out five days before?
14 A Right.
15 Q So during the first four days of July, did you
16 have roommates?
17 A No, not roommates, houseguests.
18 Q You had guests but nobody who was actually living
19 with you?
20 A Paying rent, right.
21 Q Were you planning on having somebody move in with
22 you?
23 A After --
24 Q After your guests left?
25 A Yes.

1 Q Who was going to move in with you?
2 A Ernie.
3 Q What's Ernie's last name?
4 A Jones.
5 Q And he's basically your lover now, right?
6 A Correct.
7 Q And had he ever been to Guam?
8 A No.
9 Q Where is he now?
10 A He's on island.
11 Q He just arrived, right?
12 A Correct.
13 Q What day did he arrive?
14 A The eighth of July.
15 Q Now your contract ended with Sand Castle, you
16 said, in May of 1995?
17 A Correct.
18 Q Did you have any other income, or did you have any
19 other employment after that Sand Castle contract ended?
20 A No.
21 Q Are you involved in the Attractions Night Club in
22 Maite?
23 A Yes.
24 Q What is your legal relationship with the night
25 club?

1 A Vice president.

2 Q Who is the owner of that night club?

3 A Ernie.

4 Q Who are the other co-owners?

5 A Steve Boothe and Victoria Johns.

6 Q What is the corporation or the company name it
7 operates under?

8 A WE, capital W, capital E, the number one,
9 entertainment.

10 Q How was that name selected?

11 A Because that's a company that was primarily for
12 myself and Ernie.

13 Q So the "W" is Warren, and the "E" --

14 A -- is Ernie, right.

15 Q And how much money of your own have you invested
16 into that night club, would you say?

17 A I would say about -70 to \$90,000.

18 Q What about the total amount of money that's been
19 invested into it by all of the other investors, including your
20 investment?

21 A I would say about 300,000.

22 Q So you're about a third -- almost a third of the
23 total?

24 A If that's what it adds up to, I guess.

25 Q So when was it that you invested that money in the

1 club?

2 A I'm not sure I understand.

3 Q When did the club get started?

4 A It got started on the first of May, the initial

5 setting -- lawyers and things like that.

6 Q Has the club actually opened to the public?

7 A Yes.

8 Q When was the grand opening for the public?

9 A July 1, '95.

10 Q Tell us a little bit about the club. It's a dance

11 club, I guess?

12 A Correct.

13 Q And what kind of equipment do you have in there?

14 A Meaning?

15 Q Lights? music? What do you have in there?

16 A Lights, music.

17 Q But what?

18 A You want me to give you an explanation?

19 Q I sure do.

20 A It's three floors. The first and second floors

21 are dance floors. From 12:00 to 8:00, during the day, it's a

22 ballet studio, and at night it's a night club. On the third

23 floor there's a karaoke bar and lounge, kitchen, pool table.

24 Q How long did it take to make the improvements from

25 what it used to be until what it is now?

1 A Right up until the last very day, and we're still
2 making improvements.

3 Q So how long of a period of time would you say that
4 was, that it took to build it up to what it is now?

5 A Two months and eight days.

6 Q Who was doing the work?

7 A As far as --

8 Q -- the actual construction or renovation of the
9 premises?

10 A Various people. Various construction workers,
11 electricians.

12 Q Were you involved with signing contracts or
13 subcontracts with the various people who came in to do the
14 work?

15 A Yes and no, depending on if they speak with me or
16 someone else.

17 Q Who else was involved in subcontracting out the
18 work?

19 A My general manager, my assistant manager.

20 Q Okay. Have you actually earned any money or
21 revenue from the club so far?

22 A Not yet.

23 Q It's going to take awhile then, for you to recoup
24 your investment, before you start earning money, wouldn't you
25 say?

1 A Correct.

2 Q How long do you anticipate that that will be,
3 before the club starts earning money and you turn a profit?

4 A Six to eight months.

5 Q How many members of the public can come in and be
6 there at the club dancing at any one time? How many people
7 does it hold?

8 A About 500.

9 Q And do you serve food?

10 A Right.

11 Q Do you have a liquor license?

12 A Correct.

13 Q Do you cook the food there, or is it just --
14 already brought in?

15 A We cook it. Sometimes it's catered depending on
16 the event.

17 Q What kind of food do you serve there?

18 A Soul food.

19 Q How many people have been attending the club each
20 of the nights it's been opened so far? Approximately how many
21 members of the public have been coming in?

22 A Well, being as though last week was the grand
23 opening, there was a total of 200, last week, and thereafter,
24 maybe another hundred or so.

25 Q So it's not filled up yet, then?

1 A No.

2 Q Is it gaining in popularity as far as you could

3 tell?

4 A As far as advertising, yeah.

5 Q Are you aiming for a homosexual clientele or does

6 it matter to you?

7 A No, it caters to everyone.

8 Q It's open to whatever -- whoever comes?

9 A Right.

10 Q Let me ask you this: Have you ever been involved,

11 yourself, in smoking ice or using ice?

12 A No.

13 Q Never once?

14 A I have tried it, yes. I have not -- saying I'm a

15 smoker.

16 Q How many times would you say you've tried or

17 smoked ice?

18 A Twice.

19 Q Was that here on Guam?

20 A Yes.

21 Q How did it come to be that you did that?

22 A That I --

23 Q -- smoked ice. Who gave it to you?

24 A Who gave it to me? An acquaintance that worked

25 with me at Sand Castle.

1 Q Another employee?

2 A Another employee.

3 Q And you tried it but you didn't like it?

4 A I didn't like it, no.

5 Q Have you ever yourself been involved in bringing

6 ice into the island?

7 A No.

8 Q Have you ever arranged to have people mail you ice

9 so that you could sell it here on Guam?

10 A Yes.

11 Q How did all that get started?

12 A We -- are you talking about crystal meth? I'm

13 still kind of confused of -- when people say "ice" or

14 "crystal;" if it's the same or not.

15 Q Let me explain this to you. In legal terms "ice"

16 is methamphetamine that's 80 percent pure or more.

17 A Okay.

18 Q If it's pure methamphetamine it's -- they call it

19 "ice." If it's less pure, if it's more in the powder form,

20 they tend to call it "crank." But we'll just call it all

21 methamphetamine for purposes of this testimony.

22 A Okay.

23 Q How did it come to be that you became involved

24 with bringing methamphetamine into Guam?

25 A Several people would ask questions, and basically

1 I had the answers for them.

2 Q Who were these people?

3 A People that were curious if I knew of where to get
4 it, or who had it in the United States.

5 Q Who are the -- tell us the names of these people?

6 A Anthony Johnson, Lynn -- I don't know her last
7 name, still -- this guy named Billy, and a lot of people that
8 were around town, like other employees at Sand Castle.

9 Q When would you say the first time was that you
10 sold ice, or methamphetamine?

11 A May. I think it was the first week of May.

12 Q Of '95?

13 A '95.

14 Q Have you ever sold drugs back in the states?

15 A No.

16 Q Who did you sell the first ice to, that you sold?

17 A I really can't say. I don't remember who the
18 first person was.

19 Q Do you remember where you began selling ice at;
20 was it out of your house?

21 A Yeah.

22 Q Where else have you sold ice besides out of your
23 condo?

24 A That's pretty much it. Or I take it to the people
25 who ask for it.

1 Q Where do you get your ice from?
2 A Los Angeles.
3 Q Who in Los Angeles is responsible for bringing or
4 sending the ice out here to you?
5 A A guy named Johnny. I'm not sure of his last
6 name.
7 Q Have you met Johnny?
8 A Yeah, once.
9 Q Where?
10 A In Los Angeles.
11 Q When?
12 A About -- I guess two to three years ago.
13 Q What part of L.A. was that?
14 A This was downtown L.A.
15 Q How did you meet him?
16 A At a night club.
17 Q Just a casual situation; you bumped into him and
18 started talking to him?
19 A Correct.
20 Q You weren't introduced by somebody?
21 A Yeah.
22 Q You were introduced?
23 A I was introduced by someone.
24 Q Who introduced you?
25 A My friend David.

1 Q What's his last name?
2 A Latimer, L-A-T-I-M-E-R.
3 Q Do you know where Johnny lives?
4 A Not exactly, no.
5 Q How is it you were able to get in touch with
6 Johnny?
7 A Via phone.
8 Q Is that a cellular number that he has, that you
9 call?
10 A No, home phone.
11 Q What is that home number, do you know?
12 A (818) 917-8066.
13 Q Do you know what part of L.A. that number goes to?
14 A From my understanding it's La Puente.
15 Q So basically what happened was that you had met
16 this person, say three years ago, and sometime in May, you
17 decided you wanted to start selling ice on Guam, correct?
18 A Correct.
19 Q And that was to help finance the club that you're
20 now one of the owners of, would you say?
21 A Yes.
22 Q Was that one of the main reasons that you wanted
23 to do that?
24 A Basically for extra income, just in case if the
25 club would fall short of funds, because it was starting to deplete

1 Q Were you able to make your \$3000-a-month rent
2 payment? You were paying -- what -- half of that before?
3 A Well, twenty-three hundred.
4 Q Okay. Were you able to make those \$2300-a-month
5 payments based on the money you were earning from the Sand
6 Castle?
7 A Yes.
8 Q You were able to make that?
9 A Yes.
10 Q How much were you clearing a month from the Sand
11 Castle?
12 A Net 27 -- 2700.
13 Q Okay. And you were paying 2300 for rent?
14 A Correct.
15 Q That leaves 400 to live on, right?
16 A And I also had a job with Sprint.
17 Q What were you doing there?
18 A Customer service.
19 Q How many hours a week were you working there?
20 A Forty.
21 Q How much net a month were you making at Sprint?
22 A I guess \$800 after taxes.
23 Q Which months were you working there?
24 A From February until -- February to April. It was
25 just two or three months.

1 Q Was it somebody specifically here on Guam that
2 gave you the idea that selling ice would be profitable for you
3 and would help you with your new business; somebody talk to
4 you about that?

5 A Yes.

6 Q Who was that?

7 A Different people. Lynn, Tony and Billy, Anthony
8 Johnson.

9 Q Tony, is this the fellow that ended up being
10 arrested in the same group you were arrested with on the
11 fifth?

12 A No, Anthony Johnson.

13 Q Anthony Johnson?

14 A I call him Tony.

15 Q Tony. But he was the one you met with on the
16 fifth?

17 A Right.

18 Q And when did you first meet him?

19 A I guess it was back in -- when the club started,
20 in May.

21 Q Was he working there, at the club?

22 A No.

23 Q Did he ever do any construction work, as far as
24 you're aware of, there, at the Attractions club?

25 A Yeah, he did some work there.

1 Q What type?

2 A He put up side walls for my building.

3 Q When was it you and Tony first started talking

4 about methamphetamine between the two of you?

5 A The day he got there. The first day I met him,

6 actually.

7 Q How did that happen? Who brought up the topic?

8 A He did.

9 Q What did he say?

10 A Do I know anyone who has crystal. Or something

11 like that.

12 Q What did you tell him?

13 A I told him, yeah, I do.

14 Q Because you had been -- at that point had already

15 been -- involved in selling ice for a brief period?

16 A No.

17 Q You hadn't started selling ice?

18 A This was when it started.

19 Q But this was in May, wasn't it, that you met Tony

20 Johnson?

21 A This was just in May.

22 Q And wasn't it in May that you started selling ice?

23 A Correct. Thereafter I met him.

24 Q I'm sorry. You started selling right after you

25 met him?

1 A Right.

2 Q Right after?

3 A Right.

4 Q The next day?

5 A Well, more or less. It was arranged to do so.

6 Q And that ice that you started selling the first

7 time you sold, was that ice your friend Johnny had sent out to

8 you from California or was that some other ice?

9 A That was the same ice.

10 Q And did he mail it to you?

11 A Correct.

12 Q What address did he mail it to you at?

13 A My post office box.

14 Q What is that?

15 A 1270 North Marine Drive.

16 Q Is that in your name, or Ernie's name, or both?

17 A Both.

18 Q How many different times would you say Johnny has

19 mailed parcels from California to Guam that had

20 methamphetamine in it?

21 A I would say about eight to ten, eight to ten.

22 Q How much methamphetamine was inside each of those

23 parcels?

24 A Between -- anywhere from -- anywhere from four to

25 16 ounces.

1 Q So altogether how much methamphetamine has been
2 mailed to you from California?
3 A Between five to eight -- five to eight -- what do
4 you call that? -- kilos.
5 Q Five to eight kilos?
6 A Yeah.
7 Q And a kilo is 2.2 pounds, right?
8 A Yeah, I guess.
9 Q So if it's five to eight, that's somewhere between
10 11 pounds and up. At least 11 pounds of ice, right?
11 A I would think so, yes.
12 Q And was it always mailed to the same place?
13 A No.
14 Q Where else was it mailed to?
15 A Different addresses. That was arranged by either
16 Tony or whoever else would want it.
17 Q Which other addresses has your methamphetamine
18 been mailed to?
19 A I'm not sure of the addresses. I don't have that
20 in my head.
21 Q What other people have received it in your behalf?
22 A Derick West, Lynn, Glenn Jordan. That's all I can
23 come up with.
24 Q What about Chelsea Page?
25 A Oh and Chelsea Page.

1 Q Now does Chelsea -- Chelsea's a male, right?
2 A Chelsea's a male.
3 Q But he's undergoing a sex change, as far we you
4 know?
5 A Yeah, we can assume that.
6 Q Does Chelsea have her own mail box, or her own
7 mail parcel?
8 A Yes.
9 Q Where is that located?
10 A At Postnet.
11 Q Is that the 1270 address?
12 A 1270.
13 Q But it's a different box number than yours?
14 A Correct.
15 Q Do you know what Chelsea's box number is?
16 A Right next to mine. I never got the mail from
17 Chelsea's box. Three something.
18 Q Did you both become subscribers at the same time?
19 A No, I had my mailbox since September.
20 Q What about Chelsea?
21 A The day that she arrived.
22 Q How many parcels has Chelsea received at her box,
23 on your behalf?
24 A Two.
25 Q Those were about how much then? How much

1 methamphetamine in each of the two parcels?

2 A About eight ounces.

3 Q Each?

4 A Yes.

5 Q So half a pound and half a pound?

6 A Yes.

7 Q Is all your methamphetamine, has all of it come

8 from the same person in California?

9 A Yes.

10 Q And you've ordered it by phone each time?

11 A By phone.

12 Q How long does it take to receive it after you

13 order it?

14 A Depending on how it comes, anywhere between three

15 days to a week.

16 Q But it's always come through the mail?

17 A Correct.

18 Q Have you ever had anybody bring it in personally,

19 as a courier, on an airplane?

20 A No.

21 Q Have you always telephoned the same 818 number in

22 Los Angeles in order to place your request or order for

23 methamphetamine?

24 A Yes.

25 Q And have you always spoken to the same person when

1 you placed your order?

2 A Yes.

3 Q It's always Johnny?

4 A Always.

5 Q How do you pay Johnny?

6 A Cash.

7 Q How much do you pay Johnny?

8 A It depends on the amount of the package, I guess.

9 Q Do you have a pre-arrangement as to ounces, or

10 half pounds or pounds?

11 A Yeah. Half before it gets here and half after

12 it's received.

13 Q How much do you pay Johnny for each pound of ice?

14 A For each pound. Roughly \$16,000.

15 Q How is it that you transmit the money from Guam to

16 California?

17 A Western Union, money orders, whatever we decide.

18 Q When you transmit the money orders, do you do so

19 in sums of less than \$10,000 to avoid the reporting

20 requirement?

21 A I'm sorry?

22 Q Are you aware that there's a law that requires

23 financial transactions of \$10,000 and above to be reported to

24 the federal government?

25 A With banks, yes. With Western Unions, I had no

1 idea because we don't normally go above 10,000 anyway, so --
2 Q I see. What's the most you've ever sent to
3 California via Western Union?
4 A Eight thousand.
5 Q So you bring the cash to Western Union, and then
6 you cause that to be transmitted through their facilities, to
7 California?
8 A Right.
9 Q Do you bring the money yourself to Western Union?
10 A Anyone can pretty much go.
11 Q Who else has brought the money to Western Union on
12 your behalf, to send it to California?
13 A Myself, Chelsea, Tony. That's it.
14 Q Tony Johnson?
15 A Yes, Anthony.
16 Q How many times has Chelsea gone to Western Union
17 for you?
18 A I'm not sure. About as many times as I've gone,
19 I guess.
20 Q How many is that?
21 A I can't even --
22 Q More than ten?
23 A Well, I would say at least eight to ten times,
24 because that's how many packages --
25 Q Did the employees at Western Union ever ask where

1 you're getting all this cash from?

2 A No.

3 Q Did they ever look at you like they're suspicious

4 in any way of what is going on?

5 A No, not that I know of. People look at me funny

6 anyway.

7 Q Do you have the Western Union receipts that relate

8 to these different transmittals you've made?

9 A No.

10 Q You didn't keep any of them?

11 A No.

12 Q When you mail it from Western Union, what name do

13 you mail it to?

14 A It all depends on what the other name is on the

15 other end that's going to pick it up.

16 Q How do you find out what that name is?

17 A That's pre-arranged over the phone.

18 Q Who selects the name?

19 A Johnny does, or whoever he has to go and pick up

20 the money.

21 Q So Johnny makes up different names, right?

22 A They're not fictitious.

23 Q They're real people?

24 A They're real people.

25 Q That have real IDs?

1 A Real IDs.

2 Q But they're rotating names, right?

3 A Correct.

4 Q Do you remember any of those names?

5 A Olga Morales, Francis Chapman, Juan Vasquez.

6 Those three.

7 Q Are those people that you know personally, or just

8 names that have been given to you?

9 A Those are just names given to me.

10 Q You've never met any of those people?

11 A No.

12 Q Do you know where any of those people may live in

13 California?

14 A I have no idea.

15 Q When you send it to California, do you send it to

16 the same western -- does it always go to the same place in

17 California?

18 A I don't know. As far as I understand you can pick

19 up money anywhere in the United States.

20 Q So you say you send half before and then half

21 after receipt?

22 A Correct.

23 Q For every \$15,000 that you spend, how much do you

24 make?

25 A I don't understand.

1 Q Well, for every \$10,000's worth of money, for
2 every block of \$10,000 that you have spent to buying ice, how
3 much money do you make back in profit? Do you double it?
4 triple your money? octuple it? or what?

5 A I'm still not --

6 Q You're not understanding. Okay. Well, some
7 people can buy ice for \$500 and sell it for a thousand, in
8 which case they're doubling their money. Do you double yours
9 or triple it?

10 A Oh. That's not the procedure. I get a flat fee
11 off the package that is sent, because everybody's money's
12 coming from the three different people to pay for that
13 package, and I just get paid for that.

14 Q So the packages that come are for different
15 people, not just you?

16 A It's not for me. I'm not a user.

17 Q Well, when I say "for you," you are a seller, or
18 were a seller?

19 A To the people who ordered the package, not for
20 myself.

21 Q Right. So who else has ordered the package then,
22 besides yourself?

23 A That's it.

24 Q Who else do you share the packages with, and the
25 contents of the packages with, when they come to Guam?

1 A The three -- when they come? Oh, when the
2 packages come?

3 Q Uh-huh.

4 A The three individuals I've stated: Tony, Lynn and
5 Billy.

6 Q This parcel that was involved on July 5, where was
7 that parcel supposed to go to?

8 A To the same individuals.

9 Q Were you going to get a third of that, or a fourth
10 of that, or what?

11 A A flat fee off each box.

12 Q What was that fee?

13 A \$10,000.

14 Q So how much was Tony Johnson supposed to be paying
15 you then, for that, for whatever it is that you were going to
16 be giving to him?

17 A \$10,000.

18 Q And the same is true of Lynn?

19 A I get paid from the whole thing, the whole box,
20 package.

21 Q Paid by one person?

22 A Either one. Whoever gets the package first.
23 They're cut up into three parts.

24 Q The parcel is divided into thirds?

25 A Right.

1 Q So it would be --

2 A After it leaves my hands and I get paid for it,
3 the rest is distributed to the other two remaining, because
4 I've already been paid for it, and the rest is distributed.

5 Q How much do you sell your ice for? How much a
6 gram do you sell ice for?

7 A It's not sold by myself, it's sold by the others.

8 Q Okay. You've made hand-to-hand sales yourself,
9 though, in Guam, haven't you?

10 A Yeah, initially, to get started. When I first
11 started.

12 Q How long did you do that for?

13 A A week, two weeks.

14 Q How many different people did you sell ice to?

15 A I would say seven total.

16 Q How much did you sell it for?

17 A A hundred dollars a gram.

18 Q Was it always cash up-front?

19 A Correct.

20 Q That's an extremely low price, isn't it?

21 A I guess. I found out.

22 Q Have you ever heard of anybody selling ice for
23 less than a hundred dollars a gram on Guam?

24 A No, not now.

25 Q What does it usually go for?

1 A Here, on island?

2 Q Uh-huh.

3 A I guess anywhere between -2 to \$800 a gram.

4 Q Why did you sell -- how did you pick that price?

5 A A hundred dollars?

6 Q (Counsel nods head.)

7 A Because I figured that's what it would be. I'm
8 not a drug dealer. I just picked that price and set it at
9 that.

10 Q Can you give us the names of any of the people
11 that you recall personally selling ice to, yourself?

12 A Derick, Lynn, Billy, Tony, this guy named Philip,
13 this girl named Pam. That's it.

14 Q How did you find them as customers? How did you
15 find Pam, for example?

16 A I guess on island they come to you, more or less,
17 or your name is around.

18 Q How did Pam find you?

19 A Referrals through others, or whatever, through my
20 ex-roommate, Derick.

21 Q Was Derick involved in selling also?

22 A Yeah.

23 Q Okay. Now how much would you say that you've
24 actually earned as a result of ice trafficking on Guam?

25 A About 200,000.

1 Q That's gross or net?

2 A Net.

3 Q So how about gross?

4 A I'm not sure what do you mean by "gross." There's

5 no taxes coming out of drug money.

6 Q No, no, no. Gross is exclusive of the money that

7 you had to -- without subtracting your investment into it?

8 A I don't have to subtract my investment into it.

9 Q Let me put it this way: You've sold \$200,000

10 worth of ice on Guam?

11 A Right.

12 Q How much did you pay for that \$200,000 worth of

13 ice?

14 A That's a tough one. I'm not sure.

15 Q More or less than \$100,000?

16 A Less. Much less. Less than 50.

17 Q Less than 50?

18 A Yeah.

19 Q So you've made at least four times over your

20 profit?

21 A I would say so, yeah.

22 Q Where is all that money now?

23 A What money?

24 Q The difference between the \$200,000 that you

25 received for sales proceeds and the less than \$50,000 that you

1 paid for that ice?

2 A I would say it's disbursed between different

3 things, like food, shopping, utilities, money that was either

4 sent to my mother for her birthday or my sister for her

5 birthday, or something like that.

6 Q How much of that money went into the Attractions

7 Night Club?

8 A I would say about -10 or \$11,000.

9 Q What about into motor vehicles? Did you ever use

10 the ice proceeds to purchase a car or truck?

11 A I didn't have to.

12 Q You have a watch, right?

13 A (Witness lifts his arm to indicate a watch.)

14 Q How much is that watch worth?

15 A \$40.

16 Q Do you have another watch? Do you have a Rolex?

17 A Yeah.

18 Q The police took that?

19 A No.

20 Q They didn't take it?

21 A They didn't take it.

22 Q Where was the Rolex when you were arrested?

23 A In my jewelry box.

24 Q They never took it, ever?

25 A No. As far as I know it was still there when I

1 got home.

2 Q How much did that Rolex cost?

3 A 13,000.

4 Q And when did you acquire that Rolex?

5 A Three years ago.

6 Q Where were you when you bought it?

7 A New York.

8 Q How was it that you were able to purchase that

9 Rolex?

10 A Because I've saved money since I was 16 years old.

11 Q So it took you how many years then, to save up the

12 money to buy that Rolex?

13 A It didn't take years for me to buy the Rolex. It

14 wasn't like a goal for me to do. I can't answer that because

15 it didn't take me to save up to buy, I just had the money to

16 buy it.

17 Q And that came from your work?

18 A That came from traveling the world and getting

19 paid to do what I do best.

20 Q Where have you traveled to get paid?

21 A All over the world.

22 Q Such as where?

23 A Europe, Japan, Spain -- Europe, same thing --

24 Canada, Virgin Islands, Bahamas. All over.

25 Q What's the most amount of money you've earned one

1 year in your life?

2 A About \$80,000, I guess.

3 Q What year was that?

4 A Between '86 and -- '86 and '88.

5 Q Where were you then?

6 A I was with the American Dance Theater.

7 Q Where is that?

8 A New York.

9 Q Why did you leave that job?

10 A I wanted to do something different.

11 Q Did you do something different?

12 A Yes.

13 Q What was that?

14 A I toured with Sesame Street.

15 Q And why did you give that job up?

16 A My contract ended and I wanted to do something

17 different.

18 Q Have you ever been involved as a businessman

19 before Attractions?

20 A No, this is my first.

21 Q Your first business investment?

22 A Basically.

23 Q How many bank accounts do you have on Guam?

24 A One.

25 Q How many?

1 A One.

2 Q Where is that?

3 A Bank of Guam.

4 Q When did you open that account?

5 A September -- well, October.

6 Q Is that a checking account or a savings

7 account?

8 A Checking.

9 Q How much money is in that account now?

10 A About \$300.

11 Q What's the most that's ever been in that account?

12 A 4,000.

13 Q Have you ever had any other accounts on Guam

14 besides that one checking account at the Bank of Guam?

15 A That's it.

16 Q What about back in the states do you have accounts

17 there?

18 A No.

19 Q Do you have accounts in Europe?

20 A No.

21 Q Switzerland?

22 A No.

23 Q Do you have any accounts anywhere in the world

24 other than that one Bank of Guam account?

25 A That's it.

1 Q Do you have cash inside the safe at the
2 Attractions club?
3 A Yes.
4 Q How much is in there?
5 A About \$300.
6 Q How about in your condominium?
7 A No.
8 Q You're in the process now of attempting to retain
9 an attorney to represent you, correct?
10 A Correct.
11 Q Have you completed those negotiations?
12 A No.
13 Q And it's Howard Trapp that you're trying to
14 retain, right?
15 A Right.
16 Q Currently you're represented by the federal public
17 defender?
18 A Basically.
19 Q And you have entered into a plea agreement with
20 the government, correct?
21 A Correct.
22 Q What day did you plead guilty?
23 A The seventh? I don't remember which day I went to
24 court. The seventh or the eighth.
25 Q It was almost immediately after you were arrested,

1 right; within a day or two?

2 A I don't remember. I was only there for a day and
3 a half.

4 Q You pleaded guilty on July 7?

5 A The seventh.

6 Q That was two days after you were arrested on the
7 fifth, right?

8 A Correct.

9 Q And the plea agreement requires you to serve a
10 minimum mandatory term of at least ten years in prison, unless
11 you were able to provide substantial assistance to the
12 government, in which case it's within the court's discretion
13 to sentence you to a lesser term; is that your understanding?

14 A Yes.

15 Q And you're willing to cooperate with the
16 government and to give the government all of the information
17 in your possession about ice trafficking in the island; is
18 that fair to say?

19 A Yes.

20 Q And your sentencing has now been delayed a number
21 of months in order to allow the court and the government to
22 evaluate the level of your cooperation?

23 A Yes.

24 Q Are you willing to wear electric equipment, or
25 wires in an attempt to perhaps purchase contraband, or to

1 obtain evidence on behalf of the government?

2 A I'm not willing because that -- I prefer not to
3 wear it. It all depends on what it is. But from what I
4 understand and see, because I wear a lot of vests, I don't
5 prefer to.

6 Q Are you willing to make monitored telephone calls?

7 A Yes, that's fine.

8 Q You told us about an individual whose name is
9 Lynn. Where does that person live?

10 A Barrigada Heights.

11 Q Tell us a little bit more about Lynn. Is this a
12 Chamorro, a statesider or what?

13 A I'm still not sure if she's a Korean or Chinese,
14 but I guess she's Korean.

15 Q Do you know her last name?

16 A I can't remember what it is.

17 Q Is it Basillas or Basillios; something like that?

18 A I don't think it's that. I've only heard it once
19 or twice. I can't remember what it is.

20 Q What type of work does Lynn do?

21 A She doesn't anymore unless you classify as an ice
22 dealer.

23 Q Would you describe Lynn as being on the same level
24 of ice trafficking as you were on before you were arrested?

25 A No, no.

1 Q Heavier?

2 A Much, much.

3 Q Who does Lynn live with now?

4 A Now she lives with her brother and her brother's

5 wife and two kids, and occasionally her boyfriend.

6 Q Do you know the house in Barrigada Heights where

7 she lives?

8 A Yes.

9 Q Would you be willing to drive the police there in

10 a heavily tinted vehicle and point at it?

11 A While still moving, yes.

12 Q When's the last time you spoke to Lynn?

13 A Today.

14 Q How did that happen; did she call you or did you

15 call her?

16 A I called her.

17 Q Why did you do that?

18 A Because I am informed to basically get a report

19 back with the clientele that I had so they won't think that

20 anything is up.

21 Q What did you tell Lynn?

22 A I need some money.

23 Q Did you tell her why?

24 A Basically to retain a lawyer.

25 Q Okay. So this is in conjunction with your

1 agreement then, to work as an informant, that you called Lynn?

2 A Basically.

3 Q As far as you can tell, does it appear to you that

4 Lynn believes that you're still out in the ice trafficking

5 business and that you need to raise money in order to pay your

6 lawyer?

7 A I'm not sure what anyone thinks. Everyone thinks

8 that I'm -- I don't know what anyone thinks anymore.

9 Everything is very fishy.

10 Q How did it end on the phone with Lynn today?

11 A "I'm busy. I'll call you back."

12 Q Are you going to be talking to her again?

13 A I was supposed to call her back later on this

14 afternoon or evening.

15 Q Are the federal agents aware of your phone calls?

16 A I told -- what's his name?

17 Q Rick Orluk?

18 A Rick -- that I had spoken with her yesterday, when

19 I saw him yesterday.

20 Q Have you spoken to anybody else since you've been

21 arrested?

22 A I tried to contact Anthony, basically to touch

23 base with him as well.

24 Q Anthony Johnson?

25 A Johnson.

1 Q Were you able to get through to him?

2 A Briefly.

3 Q What happened there?

4 A He too was busy.

5 Q Have you attempted to make any other calls?

6 A As far as to people that I normally deal with?

7 Q (Counsel nods head.)

8 A Those two were basically the ones I needed to

9 speak with, who I thought would have money.

10 Q Who would you say, to your knowledge, is the

11 biggest ice dealer on the island that you personally know?

12 A Lynn.

13 Q Does Lynn deal in anything besides ice, or does

14 she work with cocaine or heroin, or only ice?

15 A Marijuana, I guess, but very little of that. Ice

16 is basically the biggest thing down here anyway, so --

17 Q Is she a user herself?

18 A Yes.

19 Q Ice user?

20 A Yes.

21 Q Has she used ice in your presence?

22 A Yes.

23 Q Where?

24 A In her home.

25 Q And who else was there then?

1 A Everybody and anybody.

2 Q So basically you have, in the past, supplied Lynn

3 with some of the ice that Lynn has sold; is that fair to say?

4 A Correct.

5 Q Where else does Lynn get her ice from?

6 A I have no idea other than myself.

7 Q But you're one of several suppliers to Lynn; is

8 that fair to say?

9 A Yeah, I guess so.

10 Q She's a bigger level dealer than you, she must be

11 getting more ice than you're giving her, right?

12 A Right.

13 Q What makes you say she's a bigger level dealer

14 than you?

15 A From the traffic that's coming and going, I would

16 think that it would be --

17 Q When -- let me direct your attention to the day in

18 question here, which is July 5, the day after the Fourth of

19 July, Wednesday, July 5. Do you remember where you were that

20 morning? Had you slept overnight in your condo?

21 A On July 4?

22 Q Yeah. Did you sleep there on Tuesday, the fourth,

23 waking up on Wednesday, the fifth?

24 A Yes.

25 Q What time did you wake up?

1 A I have no idea. Anywhere between eight and nine
2 o'clock.

3 Q Who was in the condo with you at that time?

4 A You want names and -- my sister, Cheryl; her
5 boyfriend, Woody; Askia; Tony Rice; Michelle James -- this is
6 when I woke up. That's it.

7 Q Had they all, as far as you know, spent the night
8 there?

9 A As far as I know.

10 Q How do you know Askia Swift?

11 A We went to school together.

12 Q How long have you known him; how many years?

13 A Eight years. No, seven years.

14 Q Did you meet him in Baltimore?

15 A Yes.

16 Q What grade or level school were you at when you
17 met?

18 A I was a senior, he was a freshman.

19 Q What school was that?

20 A Baltimore School for Performing Arts.

21 Q How close of a friend of yours is Askia?

22 A I'm considered to be his sister, so I'm very
23 close.

24 Q Have you ever had a relationship with him,
25 physically?

1 A Sexual, no.

2 Q How about with Tony Rice?

3 A No.

4 Q How about with Chelsea?

5 A No.

6 Q Between Chelsea, Tony Rice, Askia and Michelle,

7 who are you closest to?

8 A Michelle.

9 Q How long have you known Michelle?

10 A 20 years.

11 Q Is that also from Baltimore?

12 A Yes.

13 Q How long had she been in Guam for?

14 A Since the 28th of -- the 29th of June.

15 Q How about Askia, when did he arrive?

16 A Same time.

17 Q How about Tony Rice?

18 A Same time.

19 Q Chelsea had been here quite sometime before that,

20 correct?

21 A May the -- May something.

22 Q How close are Tony and Askia to each other?

23 A Not very but they know each other.

24 Q So you're closer to Tony and Askia than they are

25 to one another, would you say?

1 A Yes.

2 Q How about Michelle's relationship to either Tony

3 or Askia, is she close to either of them?

4 A More so Tony than Askia.

5 Q How does Michelle know Tony?

6 A Through myself.

7 Q What does Michelle do back in the states?

8 A She works for --

9 Q Is she a security guard for Wells Fargo?

10 A Security guard.

11 Q Is that -- where?

12 A In Maryland; Baltimore.

13 Q What about Askia, what does he do?

14 A He dances with the San Francisco Ballet.

15 Q And Tony Rice?

16 A I think he works in a pet store now. I'm not

17 sure.

18 Q And Chelsea Page works for you at Attractions,

19 right?

20 A Right.

21 Q What position?

22 A Receptionist.

23 Q Which of these people are users of ice between

24 Michelle, Askia, Chelsea and Tony?

25 A None of them.

1 Q Not even Chelsea?

2 A No.

3 Q No?

4 A No.

5 Q Does Chelsea use any drugs that you're aware of?

6 A Marijuana.

7 Q What about Tony, Askia and Michelle, do they use

8 marijuana?

9 A Marijuana.

10 Q All of them?

11 A All of them.

12 Q Did they use marijuana while they were in Guam?

13 A Yeah.

14 Q Was that with you?

15 A Yeah.

16 Q When was that?

17 A Fourth of July.

18 Q The day before the arrest?

19 A (Witness nods head.)

20 Q Was that your marijuana?

21 A As far as me getting it and all that stuff?

22 Q Providing it?

23 A We got a couple of joints from various people,

24 whatever.

25 Q Where did you smoke it at?

1 A At my house.

2 Q That's No. 6, right?

3 A Right.

4 Q Do you remember what time that was, that you

5 smoked the marijuana?

6 A No.

7 Q The night of the fourth?

8 A No.

9 Q Sometime on the fourth?

10 A It was sometime on the fourth.

11 Q Were you drunk on the fourth?

12 A No, I don't get drunk.

13 Q Do you remember what time you went to bed on the

14 fourth?

15 A It could have been four-, five-, six o'clock.

16 Q In the morning?

17 A A.M.

18 Q You're a night owl, right?

19 A No.

20 Q What time do you usually go to bed?

21 A Eleven, twelve.

22 Q Why were you up so late on the fourth?

23 A I had company.

24 Q These different people you've told us were in the

25 house the next morning?

1 A Correct.

2 Q So did you talk with Tony Johnson on the fifth of

3 July?

4 A Yes.

5 Q Did you call him?

6 A Yes.

7 Q What time did you call him?

8 A Eleven o'clock a.m.

9 Q Why did you call him?

10 A Because I told him his package was here.

11 Q How did you know that the package had arrived?

12 A I received a phone call at my house.

13 Q When did you get that call?

14 A Ten-thirty.

15 Q On the fifth?

16 A The fifth.

17 Q Who called you?

18 A Postnet.

19 Q Now there were two parcels that you were

20 expecting; is that right?

21 A Yeah.

22 Q How many calls did you get; one or two?

23 A One.

24 Q What about the other parcel in the other p.o. box,

25 did they ever call you about that one?

1 A If they did I wasn't home to receive the call; I
2 was at the club.

3 Q So as far as you knew at eleven o'clock on July 5,
4 one out of your two parcels had arrived?

5 A Yes.

6 Q And you only learned that at 10:30 in the morning,
7 on the fifth?

8 A Yes.

9 Q You were expecting two though, weren't you?

10 A Yes.

11 Q On the basis of your conversations with Johnny in
12 California?

13 A Right.

14 Q When had you last spoken to Johnny?

15 A Everyday since the bomb scare. What day was that,
16 I'm not sure.

17 Q Where was the bomb scare?

18 A In Los Angeles.

19 Q I see. The "Unabomber"?

20 A Yeah.

21 Q What did you tell Tony Johnson on the phone at
22 eleven o'clock in the morning?

23 A That his package was here.

24 Q What else?

25 A (No response.)

1 Q What did you want him to do?
2 A I wanted him to come and get it.
3 Q Come to your condo and pick it up?
4 A Yes.
5 Q And you were expecting, in the interim, that
6 Chelsea would then go out and pick it up and bring it back?
7 A Correct.
8 Q So you had talked to Chelsea in advance, before
9 Chelsea left your condo, to go pick up the package right?
10 A I talked to her in advance --
11 Q Before Chelsea left the condo --
12 A Right.
13 Q -- to go pick up the package, you had already
14 talked to Chelsea about the package?
15 A Yeah.
16 Q What did you say to Chelsea?
17 A Can she go pick up the package.
18 Q She knew all about it, right?
19 A Right.
20 Q And she had done this, in fact, several times
21 before for you?
22 A Twice.
23 Q Twice before?
24 A Uh-huh.
25 Q Chelsea then took your black truck and drove to

1 pick it up by herself, right?

2 A Uh-huh.

3 Q And you were expecting that Chelsea would come

4 straight back to the condo with the package?

5 A Uh-huh.

6 Q When Chelsea left who else was in the condo at

7 that point?

8 A Askia and Tony Rice.

9 Q Where was Michelle at that time?

10 A She was at the club.

11 Q How did she get to the club?

12 A They took my Mustang, my other car.

13 Q Who did she leave with?

14 A My sister and her boyfriend.

15 Q What time did she leave?

16 A Nine o'clock, maybe.

17 Q Was the club open to the public at that time?

18 A Yeah.

19 Q What was Michelle going to be doing at the club?

20 A She was going to be singing.

21 Q Publicly?

22 A Publicly.

23 Q How long was Michelle planning on staying on Guam?

24 A Until the ninth.

25 Q How about Askia and Tony?

1 A The ninth.

2 Q And Chelsea indefinitely?

3 A Yeah.

4 Q Chelsea was living at the Royal Palm, or is that

5 the name of it?

6 A Royal Gardens.

7 Q How long had Chelsea lived at the Royal Gardens?

8 A June of this year.

9 Q Just a few weeks then, before this happened?

10 A The first of June.

11 Q So five weeks?

12 A Yeah.

13 Q Who does Chelsea live with?

14 A My two deejays.

15 Q Who are they?

16 A Sidney and Rolly.

17 Q Are they involved in the ice trafficking business

18 as far as you know?

19 A No.

20 Q Do they know about it?

21 A Everyone on this island does, I'm sure they do

22 too.

23 Q Do they know about Chelsea being involved in it?

24 A I would assume so, yes.

25 Q What are their last names?

1 A Sidney Perry and Rolly Delarosa.
2 Q They're your deejays, you say?
3 A Yes.
4 Q How many deejays do you have?
5 A Two.
6 Q So when did you next see or hear from Chelsea?
7 A When she came back with the package.
8 Q Did she come back into the condom with the
9 package?
10 A No.
11 Q What did she come back into the condom and say?
12 A I don't remember verbatim.
13 Q Did she say that she thought she'd been followed?
14 A Yes. She called me on the cell phone.
15 Q That was while she was driving?
16 A Correct.
17 Q Okay. And at that time was Askia or Tony inside
18 the condo with you?
19 A Yes.
20 Q So they heard what was going on; is that fair to
21 say?
22 A Yeah.
23 Q Did they know what Chelsea was doing?
24 A Yes.
25 Q How did they know that?

1 A Probably from conversations that me and Chelsea
2 were having or whatever.

3 Q But they got drawn into this on the fifth of July;
4 is that fair to say?

5 A Right.

6 Q They weren't involved in any ice business until
7 July 5?

8 A Correct.

9 Q But on the fifth you and Chelsea were going to
10 pick up the package, and because Chelsea was afraid that
11 Chelsea was being followed, Chelsea called you and that's how
12 Tony and Askia Swift ended up finding out about this?

13 A Right.

14 Q And then eventually Chelsea did come back, and
15 when Chelsea did Chelsea came into the condo, Chelsea
16 explained what had happened, right?

17 A Right.

18 Q And Askia and Tony were there at that time?

19 A Right.

20 Q And what decision did you then make; what were you
21 going to do about the parcel?

22 A I was going to make sure -- I was trying to find
23 out where Anthony Johnson was, so he could pick up the
24 package.

25 Q Did you get a hold of Tony?

1 A Yes.

2 Q Did Tony agree to come to your condo?

3 A No, not then. We had agreed to meet at the Hyatt

4 Regency first.

5 Q But Tony came to your house first, with his

6 Japanese girlfriend, didn't he?

7 A Before we went to the Hyatt?

8 Q Right. On the fifth of July, in the early

9 afternoon or around noon, around 12:30 to one o'clock?

10 A Right. And that's when he took the parcel.

11 Q And that's the first and only time he's come to

12 your place?

13 A The first.

14 Q Did his girlfriend come into the condo?

15 A Yes.

16 Q What about his children, did they come inside?

17 A Yeah.

18 Q Where inside the condo did his girlfriend and

19 children go?

20 A I don't know. I'm not sure.

21 Q At the time were Askia and Tony and Chelsea inside

22 the condo?

23 A I think so.

24 Q Was there an effort made to prevent the Japanese

25 girlfriend or the two kids from hearing about the discussion

1 of the ice and the parcel? Did you try to keep that
2 discussion away from them?

3 A Kinda, sorta, yeah.

4 Q What did you do to try to keep it from them; did
5 you go somewhere?

6 A No, I went up to the next level upstairs, the next
7 level, the third floor.

8 Q Who went upstairs with you?

9 A Just myself and Tony.

10 Q It's a split-level condo?

11 A Tri-level.

12 Q Did Chelsea go upstairs with you?

13 A No.

14 Q At anytime did Chelsea Page go upstairs while Tony
15 Johnson was in the condo?

16 A No, Chelsea was downstairs on the second floor.

17 Q The whole time?

18 A That I remember, yeah.

19 Q What did you and Tony talk about upstairs?

20 A I told him he needed to get the package, and we
21 needed to do what we normally do, to burst the crystal and to
22 pay me, basically.

23 Q What is normally done?

24 A Normally it's taken out and split up and he would
25 pay me my money, and that would be it, it would be over. But

1 he supposedly lost his house keys and everything, and he had
2 to go back to his house.

3 Q So you were expecting that Tony Johnson would
4 bring the parcel into the condo, right?

5 A Into my house?

6 Q Uh-huh?

7 A No. If that was the case then I would have had
8 Chelsea bring it in.

9 Q Why didn't you have Tony bring the parcel into the
10 condo?

11 A Because I don't want it in my house.

12 Q Why is that?

13 A Because I don't normally -- that's was Tony's
14 first time coming to my house. I don't normally have people
15 come to my house. Normally it goes to his house or wherever
16 else.

17 Q Where in the past have you divided up parcels with
18 Tony?

19 A At his house.

20 Q Always there?

21 A Either at house or it's divided up there, when no
22 one else is there, and then taken to him.

23 Q Whose idea was it to move the parcel from the
24 black truck into the Protege?

25 A Mine.

1 Q So you wanted Tony to go outside and do that,
2 right?

3 A Right.

4 Q And when that happened was it your belief that
5 police officers might had been outside watching the two cars?

6 A Was it my belief that they were watching?

7 Q (Counsel nods head.)

8 A They could have been. I'm not sure. I didn't
9 think about it, but since you brought it up, I guess so.

10 Q Did Chelsea ever suggest to you that Chelsea
11 thought that the police had followed her to your condo?

12 A She thought so.

13 Q So in other words you had a good reason to believe
14 or suspect that when Chelsea had come into your condo, that
15 the police were outside watching the black truck that had the
16 parcel in it, right?

17 A No. I just told Tony to put it in his truck and
18 everything, because he said that he was not afraid of anybody,
19 so therefore he'll take the package and take it to his house.

20 Q So Tony basically said he was willing to run the
21 risk of going outside while the police might be watching the
22 two vehicles?

23 A Correct.

24 Q It was his idea to do that?

25 A Right.

1 Q And you then said, "Okay. Go ahead and do that
2 and we'll meet somewhere else"?
3 A Right.
4 Q Where?
5 A Then I think it was decided to go to the Hyatt.
6 Q When Tony left your condo, where were you planning
7 to meet him next?
8 A At his house but he did not have his house keys,
9 supposedly.
10 Q Right. So thereafter what?
11 A Thereafter I told him, "Let's go to the --" it was
12 either the club, or Hyatt, or whatever. Which came first? I
13 think the Hyatt.
14 Q Why did you pick the Hyatt?
15 A No, the club first. The other part of my family
16 was there at the club, so then we said, "Let's go to the
17 Hyatt."
18 Q Does your sister have any knowledge of you selling
19 ice?
20 A Yes.
21 Q Does she sell herself?
22 A No.
23 Q Does she use ice?
24 A My sister?
25 Q (Counsel nods head.)

1 A No.

2 Q How long after Tony Johnson left your condo did
3 you leave your condo?

4 A Immediately after.

5 Q Where did you go?

6 A That's when I went to the -- I went back to the
7 club first. I was on my way to his house, and I got pulled
8 over by the police. I guess they were looking for the package
9 because I was in the black truck but --

10 Q The police pulled the black truck over?

11 A Correct.

12 Q What about the red Mustang, where was that?

13 A It was at the --

14 Q Michelle had taken that with her, hadn't she?

15 A To the club.

16 Q So you drove the black truck from the condo to the
17 club?

18 A Right.

19 Q Were you alone?

20 A Yes.

21 Q When you were pulled over did they look for the
22 parcel?

23 A I'm sure they did, yeah.

24 Q At that time you realized that the police clearly
25 suspected you, right?

1 A Right.

2 Q What did they tell you exactly, when they pulled

3 you over?

4 A That I was driving recklessly.

5 Q Did they tell you that they were looking for a

6 parcel that had ice in it?

7 A No.

8 Q Did they tell you that they were looking for a

9 parcel?

10 A No.

11 Q Did they look through the car, the truck rather?

12 A Yes.

13 Q How much of the truck did they look through?

14 A Well, it was the whole cab of it, but it wasn't

15 searched, it was just looked at with scrutiny.

16 Q Did they lift things up and look underneath?

17 A No, must enough to let me know that they were

18 looking for something.

19 Q Did the thought go through your mind that they

20 might have suspected you, in terms of the parcel?

21 A Yes.

22 Q Yeah?

23 A Yeah.

24 Q But they never said anything specific to you,

25 other than they pulled you over for reckless driving?

1 A Right.

2 Q Had you been driving recklessly?

3 A To their discretion, I guess so.

4 Q Were you speeding?

5 A Probably.

6 Q Where did they pull you over?

7 A I guess that's Agana.

8 Q So then you got to your club, right?

9 A Uh-huh.

10 Q And who was there?

11 A Michelle, my sister and her boyfriend, my manager

12 and several other people.

13 Q Where were Tony and Askia?

14 A At home.

15 Q They stayed behind?

16 A Yes.

17 Q What were you planning to do with Tony and Askia

18 later that afternoon?

19 A What was I planning to do with them?

20 Q Or were you?

21 A Nothing that I can remember.

22 Q So when you left the condo you didn't leave with

23 any plans to rendezvous later with Tony and Askia?

24 A No, not until I got back home. I mean to the

25 Regency.

1 Q Now when you went to the club, how long were you
2 planning on staying at the club?

3 A I don't know. I'm not sure.

4 Q Were you expecting Mr. Johnson to go to the club
5 and deliver the parcel to you there?

6 A Yeah.

7 Q And then at some point he actually called you
8 while you were at the club?

9 A Yes.

10 Q That was quite awhile later?

11 A Yes, it was.

12 Q Deeper into the afternoon?

13 A About three o'clock, I guess.

14 Q Were you suspicious because of the length of the
15 delay?

16 A No.

17 Q What explanation did he give you as to why it had
18 taken him so long?

19 A He said he was being followed, or something, and
20 he went to McDonald's and basically had to get away from -- to
21 divert.

22 Q You agreed to meet with Tony at the club?

23 A Yes.

24 Q And at some point you walked out of the club and
25 got into your red Mustang, with Michelle?

1 A Michelle.

2 Q What did you talk to Michelle about as you were
3 getting into the Mustang waiting for Mr. Johnson? Were you
4 talking about the parcel?

5 A I don't remember what we were talking about.

6 Q At anytime were you talking to Michelle about the
7 parcel?

8 A It's possible. It's possible.

9 Q When would that have been?

10 A When Tony pulled up and we agreed to go to the
11 Hyatt.

12 Q Michelle knew about the parcel and the ice, true?

13 A Yes.

14 Q When did she first become aware of it?

15 A That day, as all of us did. Basically on that
16 day.

17 Q So she was there at the condo originally, and
18 that's how she found out?

19 A Yeah.

20 Q What was going to be Michelle's involvement, if
21 any, as far as the receipt of the parcel?

22 A Nothing.

23 Q She was just aware you were about to get it?

24 A Basically.

25 Q And so Mr. Johnson pulled up and you met and had

1 your conversation with him?

2 A Right.

3 Q Did anybody get out of the vehicle?

4 A Whose vehicle?

5 Q Either yours or his?

6 A No. Well, he got out of his and came over to my

7 car.

8 Q And what did he tell you?

9 A That he wanted to go someplace else because there

10 was too many people there, or something, so we agreed to go to

11 the Hyatt.

12 Q Did you pick the Hyatt?

13 A Yeah.

14 Q And then what happened, you drove over there, or

15 did you go to the condo?

16 A I went to the Hyatt.

17 Q What happened at the Hyatt?

18 A I didn't have enough money in my wallet, so I

19 said, "Let's go someplace else."

20 Q How much money did you have?

21 A A hundred dollars.

22 Q How much money did the Hyatt want for a room?

23 A Two hundred.

24 Q Did Michelle come into the Hyatt with you?

25 A Yes.

1 Q So then from the Hyatt where did you go?
2 A To the Regency.
3 Q Had you ever stayed in the Regency before, or
4 rented a room there before?
5 A Yeah.
6 Q When was that?
7 A Back in April and -- I have before, twice.
8 Q Why did you rent rooms there before?
9 A Because I wanted to get out of my own house,
10 believe it or not.
11 Q How much is a room at the Regency?
12 A \$94.
13 Q Whose name was the room signed under?
14 A Who made the reservations?
15 Q Did you sign a guest card?
16 A Yeah.
17 Q In your own name?
18 A No, Michelle did.
19 Q In her name or who signed the card?
20 A Yeah, Michelle.
21 Q Michelle did?
22 A Right.
23 Q You paid \$100 and took \$6 back in change?
24 A No.
25 Q What happened?

1 A She kept the whole hundred.

2 Q The --

3 A The clerk.

4 Q Why didn't she give you the \$6 in change?

5 A Because she said that normally they takes credit

6 cards, or something like that, and if they don't -- and she

7 just fabricated this scenario for the way that they do the

8 thing, so I just let her have it.

9 Q So you and Michelle went up together to Room 808-

10 A?

11 A Yeah.

12 Q And where were Askia and Tony at the time?

13 A At the condo.

14 Q When you got up to Room 808-A, did you call them?

15 A Yes.

16 Q And you told them to come over?

17 A Yes.

18 Q Why did you tell them you wanted them to come over

19 to the room?

20 A Because things started to seem fishy, when I saw

21 next door the room was possibly bugged or being watched.

22 Q They knew you wanted to receive the parcel without

23 being arrested, and you wanted to enlist their help; is that

24 fair to say?

25 A Yeah.

1 Q So they knew, they knew why you wanted them to
2 come over?

3 A No, not until they got there.

4 Q Did they come immediately?

5 A Yeah.

6 Q They just walked over and took the elevator up and
7 came into the room?

8 A Right.

9 Q And then what happened after that?

10 A Then we waited for Anthony Johnson, and he came
11 later, and that was -- what was your next question?

12 Q Before Mr. Johnson arrived at Room 808-A, were you
13 talking with either Askia or Tony about what was to take
14 place?

15 A Well, all of them were there: Tony, Askia and
16 Michelle.

17 Q What did you say?

18 A Probably, "Where the hell is he," and things like
19 that, and just talking to myself out loud and --

20 Q Did you tell them in advance that you had a plan;
21 that you wanted to transfer the ice from a parcel into the
22 briefcase and wanted them to carry the briefcase over to the
23 condo?

24 A When he got there that's when I told them.

25 Q When Tony got there?

1 A When Tony got there.

2 Q Before Tony arrived you didn't talk to Askia and

3 Tony Rice?

4 A Before he got there we could've been talking about

5 anything, but I know that wasn't done until he got there,

6 because we were all supposed to go to the club.

7 Q So all you were planning on doing was spending

8 five or ten minutes in that room, receiving the parcel and its

9 contents, arranging for somebody else to take it out of the

10 room, and then you were going to leave?

11 A After that but I was going to come back that same

12 evening.

13 Q To the hotel?

14 A Yeah.

15 Q Why?

16 A Because I was renting the room for myself and

17 Ernie, because I was expecting him to fly in.

18 Q And when was he expected to arrive on Guam?

19 A That evening.

20 Q Were you going to have a surprise birthday party

21 for him?

22 A Correct.

23 Q What day is his birthday?

24 A The eighth.

25 Q Did he come to Guam?

1 A Yes.

2 Q When did he arrive?

3 A The ninth, at four o'clock that morning, on

4 Sunday.

5 Q He delayed or postponed his travel plans, didn't

6 he?

7 A Yeah.

8 Q Why did he delay them?

9 A Because I was arrested.

10 Q Was he involved in receiving the parcels himself,

11 ever?

12 A No.

13 Q Did you ever split any of the money with him?

14 A No.

15 Q And he's -- as far as you know has nothing to do -

16 -

17 A He doesn't know anything about it.

18 Q So when Tony Johnson came, you led him into the

19 room, right?

20 A Right.

21 Q And what happened next?

22 A Everyone got scared and backed up and moved away

23 and he set the package on the bed.

24 Q Who opened the parcels?

25 A I did.

1 Q How?

2 A Ripped it.

3 Q Did you use any kind of instrument or utensil to

4 open up the parcel?

5 A My fingernail.

6 Q And how much of it did you open?

7 A I stripped the top off it because it was already

8 partially torn.

9 Q And when you stripped it up, did you strip off a

10 piece that actually became loose and detached from the parcel?

11 A Yes.

12 Q And where did that piece go? Did it fall on the

13 floor or did you leave on the bedspread?

14 A I guess the bedspread. I don't remember that.

15 Q So there's a cardboard box inside there, right?

16 Or what was it?

17 A Was it inside of a cardboard box?

18 Q (Counsel nods head.)

19 A Yeah.

20 Q So the outer wrapping that had the address on

21 there, the name, that was part of the loose piece of paper

22 that became detached and was on the bedspread, right?

23 A Yes.

24 Q And then at that point whoever was in the bedroom

25 could simply look, from wherever they were in the room, and

1 see what was inside the box?

2 A Could see a perm kit, not what was inside the box.

3 Q What could you see? A perm kit?

4 A A perm kit.

5 Q Describe the perm kit?

6 A It's a big, round bucket with a top on it.

7 Q What color is it?

8 A Fuchsia.

9 Q And it has a brand name on it?

10 A Yeah. I don't remember what the name is. Chic,

11 I guess.

12 Q Had you ever received a parcel before that came in

13 one of those kind of kits?

14 A Yeah, identical.

15 Q That was common?

16 A Common.

17 Q And that was done to defeat the ability of the

18 dogs to sniff the ice?

19 A I guess.

20 Q Now what else did you open up, there on the bed?

21 What else did you do on the bed?

22 A I opened the package, opened up the top of the

23 package, of the perm kit, the lid, looked inside and took it

24 out and went to the bathroom.

25 Q Wait, wait, wait. Took what out?

1 A The perm kit out of the box, with the bulb, the --
2 what did I just say? Bucket -- out of the box and went to the
3 bathroom.

4 Q At that time could the people that were in the
5 room look at what you had removed from the perm kit and see
6 there was a plastic bag with some sort of substance inside it?

7 A No.

8 Q What was it you carried into the bathroom?

9 A The perm kit.

10 Q The entire perm kit?

11 A Yeah.

12 Q What did you leave on the bed behind you when you
13 went into the bathroom?

14 A I don't understand.

15 Q Did you leave the outside portion of the parcel?

16 A Newspapers that was on top of it.

17 Q Uh-huh?

18 A And I guess the strip from the top of the package.

19 Q Did you ever see anybody in the room pick up any
20 portion of what was on top of the bedspread at anytime?

21 A After we left.

22 Q Who did that?

23 A I guess Michelle and myself.

24 Q What did Michelle do?

25 A We were throwing out trash.

1 Q So what did Michelle do?
2 A As far as what?
3 Q Picking up something from the bedspread?
4 A She picked up the -- I guess, the strip that came
5 off the top of the package.
6 Q And where did she put it?
7 A I thought she put it in the trash.
8 Q You just assumed that?
9 A I assumed.
10 Q Where did she end up putting it, in fact?
11 A In her pocket.
12 Q How did you find that out?
13 A Because they told me that I told her that she put
14 it in her pocket -- to put it in her pocket.
15 Q But you never talked to her about that, did you?
16 A No, I don't think -- well, she's absentminded.
17 Q She just did it on her own?
18 A On her own.
19 Q How long were you in the bathroom for?
20 A Two minutes.
21 Q Did you close the door behind you?
22 A No.
23 Q While you were in the bathroom, is the room
24 structured in such a way that the people can see inside the
25 bathroom?

1 A Not even if there was a glass outside of it.
2 Q So nobody saw what you were doing in there?
3 A No.
4 Q So what did you do in there?
5 A I took the contents from out of the bucket and
6 rinsed it off.
7 Q What were the contents?
8 A Sham.
9 Q What was it in? What was it wrapped in?
10 A In plastic zip-lock bag, I guess, tied in a knot.
11 Q Was that common for your shipments, that type of
12 packaging?
13 A More or less.
14 Q So that didn't alert you that anything was out of
15 the ordinary?
16 A A lot of things alerted me, but I guess you could
17 say that I didn't care to that degree.
18 Q How large was the plastic bag that came out of the
19 kit?
20 A I'm not sure. I guess about like this
21 (indicating).
22 Q A foot by a foot?
23 A A foot by six inches or something.
24 Q Was it transparent?
25 A Yeah.

1 Q What could you see inside it?
2 A It was just white.
3 Q Powder?
4 A Powder.
5 Q What fraction of the bag was filled with powder?
6 A 98 percent.
7 Q Was it zip-locked?
8 A It was tied in a knot.
9 Q With what? A string?
10 A It was just tied in a knot, by hand.
11 Q The bag itself?
12 A Like a sandwich bag, not zip-lock. Sorry.
13 Q And then you took that and put it underneath the
14 sink?
15 A Tub, faucet.
16 Q The bathtub faucet?
17 A Uh-huh.
18 Q And that was to get what off the --
19 A The perm lye.
20 Q Had you done that before?
21 A What?
22 Q Used water to remove perm lye from the packaging?
23 A Yes.
24 (End Part I of partial transcript.)
25

1 REPORTER'S CERTIFICATE

2
3
4 I, CARMELITA G. TENORIO, Certified
5 Shorthand Reporter and Notary Public certify:

6 That the foregoing proceedings were taken
7 before me at the time and place therein set forth,
8 at which time the witness was put under oath;

9 That the testimony of the witness and all
10 objections made at the time of the examination was
11 recorded stenographically and electronically by me
12 and was thereafter transcribed;

13 That the foregoing is a true and correct
14 transcript of my shorthand and the electronic notes so
15 taken.

16 I further certify that I am not a relative or
17 employee of any attorney of any of the parties nor
18 financially interested in the action.

19 DATED this 2nd day of August, 1995.

20
21
22 

23 CERTIFIED SHORTHAND REPORTER,
24 NOTARY PUBLIC IN AND FOR THE
25 TERRITORY OF GUAM
MY COMMISSION EXPIRES MARCH 11, 1997

1 IN THE DISTRICT COURT OF GUAM
2 TERRITORY OF GUAM

3 ---
4 IN PROCEEDINGS BEFORE THE)
5 FEDERAL GRAND JURY;)
6 RE: FELTON MOSES, JR., aka)
7 CHELSEA PAGE, TONY EDWARD)
8 RICE, ASKIA TOURE SWIFT, and)
9 MICHELLE VALERIE JAMES.)
10 _____

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U.S. ATTORNEY'S OFFICE
District of Guam

11 VOLUME II

12 Partial transcript of proceedings before the FEDERAL
13 GRAND JURY, on Wednesday, July 12, 1995 at 238 Archbishop
14 Flores Street, Suite 504, Pacific News Building, Agana, Guam.

15 WITNESS: WARREN ANTONIO LEE

16
17
18 APPEARANCES: JOHN GLANG
19 ASSISTANT U.S. ATTORNEY
20 238 Archbishop Flores Street
21 Suite 502-A, Pacific News Building
22 Agana, Guam 96910
23 (671) 472-7332

ORIGINAL

24 REPORTED BY: CARMELITA G. TENORIO, CSR
25 FREELANCE COURT REPORTER
 P.O. Box 597
 Agana, Guam 96910
 (671) 477-1643

1 WARREN ANTONIO LEE,
2 having been previously sworn, was
3 further examined and testified as follows:
4
5 EXAMINATION (Continued)
6 BY MR. GLANG:
7 Q So that was common for you to do that?
8 A Right.
9 Q Did you use a towel?
10 A To --
11 Q -- wipe it up after you had put it underneath the
12 water?
13 A Well, I put the towel in the briefcase.
14 Q When you emerged from the bathroom what were you
15 carrying?
16 A What was I carrying?
17 Q What were you holding when you came out of the
18 bathroom?
19 A The briefcase.
20 Q Did you bring the briefcase into the bathroom with
21 you?
22 A No.
23 Q Was it already there?
24 A I asked Askia to bring me the briefcase.
25 Q Where had the briefcase been?

1 A On the bed.

2 Q When Askia brought the briefcase to you, was there
3 anything inside the briefcase?

4 A Just personal information; documents, whatever.

5 Q Did you tell Askia why you wanted him to bring you
6 the briefcase?

7 A No. He had probably already known why.

8 Q Did he hand it to you and then start to walk away,
9 walk back to the rest of the room, or did he stay there and
10 watch?

11 A He -- I can't remember, I really can't.

12 Q At that point when you received the briefcase,
13 were you doing, were you still washing the plastic bag?

14 A I put it inside of a towel that set inside the
15 briefcase.

16 Q Was there a towel already in the briefcase?

17 A As far as like me carrying around a towel --

18 Q Uh-huh?

19 A No.

20 Q So when Askia brought you the briefcase, there was
21 no towel in it already?

22 A Right.

23 Q So then when you're in the bathroom, you receive
24 the briefcase from Askia, and you put a towel and the plastic
25 bag into the briefcase; is that fair to say?

1 A A towel and a plastic bag into the briefcase?

2 Q Did you put the towel inside the briefcase?

3 A Yeah.

4 Q And the plastic bag?

5 A Yeah, with the contents inside of the --

6 Q With the contents?

7 A Okay.

8 Q And you closed the briefcase?

9 A Correct.

10 Q It's a clasp?

11 A Yeah, attache case.

12 Q Right. You brought it outside the bathroom and

13 handed it to who?

14 A I sat it on the bed and said, "I want to leave."

15 Q Okay. Then what happened?

16 A Anthony Johnson asked me if he wanted to do the

17 transaction there, now, or wait until later. I said I didn't

18 feel comfortable and to divide it up there, because I still

19 thought the room next door was watching, which of course it

20 was, so I told Askia, "Take this up to the house, because I'm

21 sure that when I was out on the balcony someone was watching

22 and had seen my face." So he took it up to the house for me,

23 and we watched them leave, and then Tony left.

24 Q How was it decided that it was Askia that carried

25 the briefcase and --

1 A -- as opposed to Tony? It wasn't. It was just a
2 spontaneity thing and I just said a name. It could have been
3 either or.

4 Q You said what, "Askia"?
5 A Askia.
6 Q You said, "Askia, could you please take this --
7 A "Askia, take this to the house for me and I will
8 be up there later." Or whatever.

9 Q So Askia and Tony left together?
10 A Tony Rice.
11 Q Tony wasn't carrying anything?
12 A Right.
13 Q And then how did -- when they got back to the
14 house, was Chelsea already there, at the condo?
15 A Yeah.
16 Q Who else was there at the condo?
17 A That's it.
18 Q Who has a key to that condo besides you?
19 A Myself. Just me.
20 Q That's it?
21 A And my roommate that left.
22 Q Had Chelsea remained at the condo that entire
23 afternoon then, from the time Chelsea returned --
24 A -- from the pursuit?
25 Q Yes, from the pursuit?

1 A Yes.

2 Q Chelsea didn't leave and come back?

3 A No.

4 Q So then Askia and Tony Rice left with the
5 briefcase, leaving you, Michelle and Tony Johnson alone inside
6 Room 808-A?

7 A Right.

8 Q What happened then, after it was just the three of
9 you then, left alone? What did you do inside the room?

10 A Tony said he was going to meet me at the house,
11 and get his package, and do the distribution because he had
12 supposedly gotten his house keys, and then he left and went
13 next door. Then me and Michelle left.

14 Q Did anybody smoke any marijuana inside Room 808-A
15 at anytime?

16 A Not that I can remember. I don't think there was
17 time.

18 Q You don't remember?

19 A Unless I was in the bathroom, and I don't remember
20 smelling anything when I came out.

21 Q You don't remember Tony Johnson pulling out half
22 a joint and smoking it with you and Michelle?

23 A With me and Michelle?

24 Q Uh-huh?

25 A I don't think so. I don't think so. You can

1 remember that.

2 Q But you seemed to hesitate before you answered the
3 question, so do you think that there's a possibility that
4 something may have happened?

5 A I don't remember that.

6 Q And it was shortly after that that Tony Johnson
7 left?

8 A Right.

9 Q How long after Tony left did you leave?

10 A Almost immediately.

11 Q What did you take out of the hotel room with you
12 when you left the hotel room?

13 A The package that the perm kit was in, and --
14 that's it, I think. The briefcase was already gone.

15 Q Okay. Now you had a cellular phone with you,
16 didn't you?

17 A Right.

18 Q And you also had a scale with you too, right?

19 A Right.

20 Q When -- you brought that up with you from where?

21 A What do you mean? From --

22 Q Well, had you brought it with you from the condo
23 to the club, and then from the club to the hotel room? How
24 did the scale get up to the hotel room? Where did it come
25 from?

1 A I asked Tony Rice to bring the red bag that was in
2 the house down to the Regency.

3 Q I see. This is new. When did you ask Tony Rice
4 to do that?

5 A When I asked them to come down to the Regency.

6 Q So Tony Rice brought the red bag?

7 A Right.

8 Q And the red bag had a scale in it?

9 A And some zip-lock bags.

10 Q You cellular phone you just carried with you, you
11 just had that?

12 A Yeah.

13 Q How do you carry your cellular phone, by the way?

14 A On my hip pocket.

15 Q How large is that red bag that Tony Rice carried
16 over from the condo to the Regency?

17 A About like this (indicating).

18 Q It's round?

19 A Oval. Kind of triangle shape.

20 Q So maybe three or four inches?

21 A I guess, if that's three or four inches.

22 Q Is there a zipper on it?

23 A Yeah.

24 Q To your knowledge did Tony Rice open that red bag
25 and look inside to see what was in the bag?

1 A No, he shouldn't have. If he did then that's on
2 him.
3 Q But he's the one that brought it?
4 A Yeah.
5 Q Did you use the scale inside the hotel room?
6 A No.
7 Q Why was it that you asked Tony to bring the red
8 bag with the scale to the hotel room?
9 A Because I was going to but I was still a little
10 leery of doing that transaction there.
11 Q I see. Now you were expecting then, to give part
12 of that parcel to Tony Johnson later?
13 A I was expecting to do that there, at the Regency.
14 Q But after Tony left you were going to do it at
15 your condo?
16 A I was going to do it later, by myself. I wasn't
17 pressed about when it was going to happen as long as I had it
18 done before I went back or something.
19 Q Did you remember telling Tony Johnson, inside the
20 hotel room, that if he wanted any stuff to just come by your
21 hotel room?
22 A No, that's not how I phrased it.
23 Q Do you ever invite Tony Johnson to your condo
24 while Tony was there at the hotel room?
25 A No.

1 Q How much of that parcel were you planning to
2 deliver to Tony Johnson?
3 A A third of the total weight.
4 Q How much were you expecting to receive from Tony
5 Johnson for that third?
6 A \$10,000.
7 Q Where were you arrested?
8 A Outside of the Regency Hotel, in the parking lot.
9 Q And you were with Michelle at that time?
10 A Correct.
11 Q Initially you didn't cooperate?
12 A With?
13 Q The police?
14 A Yes, I did.
15 Q Well, did the police ask you initially for consent
16 to search your condo?
17 A They asked me for consent to search my car, and I
18 said yes. "Can we search your room?" I said yes. "Can we
19 search your home?" I said yes.
20 Q Was there ever a time that you had refused to
21 allow the police --
22 A Never.
23 Q -- to search anything?
24 A Never, never.
25 Q Never?

1 A Never.

2 Q Okay. Was there ever a time that you told the
3 police that you didn't know anything about ice or ice
4 trafficking?

5 A Yes, there was a time I did.

6 Q How long did that last for?

7 A Until I was told probably how much time I could
8 get.

9 Q Who told you and what did they tell you?

10 A I don't remember who exactly told me, but -- what
11 did they exactly tell me?

12 Q Uh-huh?

13 A That I could get anywhere from ten years to life.

14 Q So then when you heard that you decided that you'd
15 cooperate and tell the truth to the police?

16 A Correct.

17 Q And that was about how long after you were
18 arrested?

19 A Couple of hours.

20 Q Okay. And as a matter of fact you have some other
21 names of individuals that we haven't discussed here, during
22 this grand jury proceeding, that at this point are going to
23 remain confidential, and that the police are working with you
24 on -- in terms of -- trying to develop cases involving these
25 people; is that right?

1 A Right.

2 Q And you will continue to cooperate with the
3 agents; isn't that right?

4 A Right.

5 MR. GLANG: Okay. Thanks.

6 (Grand juror raises hand.)

7 MR. GLANG: Go ahead.

8 GRAND JUROR: Howard Trapp is a very well known defense
9 attorney on Guam.

10 THE WITNESS: Correct.

11 GRAND JUROR: How are you going to pay for your legal
12 costs when you only have \$300 in your checking account at the
13 Bank of Guam, and \$300 in your savings?

14 THE WITNESS: Well, I have friends and that's why I was
15 trying to make phone calls to Lynn and Anthony Johnson, to see
16 if they would loan me the money to pay for counsel. And also
17 I know people abroad. I know people all over the world.

18 GRAND JUROR: That would help you out?

19 THE WITNESS: That could help me out.

20 GRAND JUROR: You mentioned that you sold to Lynn and
21 Billy and Tony Johnson?

22 THE WITNESS: Uh-huh.

23 GRAND JUROR: Who is Billy and where does he live?

24 THE WITNESS: He's one of Lynn's friends, and as far as
25 I know, he lives in Alupang Cove Tower? Alupang -- somewhere.

1 What's the name of the hotel across --
2 MR. GLANG: Beach.
3 THE WITNESS: Alupang Beach Towers.
4 GRAND JUROR: You graduated from the School of Ballet in
5 Baltimore?
6 THE WITNESS: Correct.
7 GRAND JUROR: So you've got your -- you're credible,
8 you've got your degree in back you up?
9 THE WITNESS: Yeah.
10 GRAND JUROR: Who is the general manager and assistant
11 manager of Attractions?
12 THE WITNESS: The general manager's name is Steven
13 Boothe, and the assistant manager is Victoria Johns.
14 GRAND JUROR: Okay. When he was asking you about your
15 employment in Los Angeles, that seemed to be long spans of
16 time when you were not working.
17 THE WITNESS: I was auditioning and doing a little video
18 work or whatever, but a job, I don't know if it would seem
19 like I'm making you guys seem ignorant, putting you down or
20 something, but most people say to me, "A job is basically when
21 you work from nine to five." But I was working little odds-
22 and-end jobs, and plus I had a very wealthy lover.
23 GRAND JUROR: So you did have income coming in from work
24 that you were doing?
25 THE WITNESS: Yes.

1 GRAND JUROR: It wasn't like a continuous one-job?
2 GRAND JUROR: Like a freelancer.
3 THE WITNESS: Freelance, independent contractor.
4 GRAND JUROR: Okay. The other thing I wanted to ask you
5 is, when you first started working, you mentioned that you
6 didn't really -- that you weren't really -- selling ice, that
7 you had sold for a period of time but that that really wasn't
8 what you were doing.
9 THE WITNESS: For a week or two.
10 GRAND JUROR: You were just simply -- you had all these
11 contacts so you were procuring it for other individuals, and
12 that's how you made your money.
13 THE WITNESS: Is that a question or a statement?
14 GRAND JUROR: No, I'm asking. That's what you said,
15 right?
16 THE WITNESS: Yeah.
17 GRAND JUROR: That you would make arrangements to have
18 the stuff brought in, and then you would divvy it up.
19 THE WITNESS: Right.
20 GRAND JUROR: Now you said that whoever picked up the
21 package would give you \$10,000, and that package was split
22 three ways. Was it always like that?
23 THE WITNESS: Because they're the bulk of the people who
24 buy the package, so basically that package order that comes in
25 is for them themselves, to be divided up three ways.

1 GRAND JUROR: So you make \$30,000?

2 THE WITNESS: No. I get one set fee, and then give it to
3 the next -- it's up to them. Whoever gets it first gives it
4 to the next two.

5 GRAND JUROR: Was this the pre-arrangement, that whoever
6 got this package had to divide it up?

7 THE WITNESS: Basically, because once it left my
8 presence, I had nothing else to do with it. I just wanted the
9 money that was promised, due me, and then after that I had
10 nothing to do with it.

11 GRAND JUROR: That's what I'm asking. What I'm asking
12 really is, how do you know that it went to three individuals?
13 Was this pre-arranged or --

14 THE WITNESS: I wouldn't care, just give me my money.
15 Whoever the first person was, yeah.

16 GRAND JUROR: So before it was sent to you, it was
17 already divided; who was going to get that particular package,
18 the individual that --

19 THE WITNESS: Whoever I contact first. My first point of
20 contact.

21 GRAND JUROR: Oh so it wasn't pre-arranged prior to it
22 arriving?

23 THE WITNESS: Right. Whoever I get in contact with
24 first, and then they'll get in contact -- basically "Post
25 Office" is being played amongst the three.

1 GRAND JUROR: Okay. I understand now.

2 GRAND JUROR: You mentioned that you made a total of

3 approximately 200 -- \$200,000?

4 THE WITNESS: A "guesstimate."

5 GRAND JUROR: And each package -- or your fee would be

6 10,000?

7 THE WITNESS: Right.

8 GRAND JUROR: So you did this 20 times?

9 THE WITNESS: No, ten. You get eight to ten packages,

10 eight to ten packages is basically ten of 20, whatever. I

11 guesstimated eight to ten packages, but before that I was

12 selling for myself, the first two weeks. Remember?

13 GRAND JUROR: So you made all this money in two months'

14 time?

15 THE WITNESS: In two months' time. You can make that

16 much money in a week here, and I was just a "K-Mart" person,

17 basically, because it was a hundred dollars a gram, and I hear

18 it goes up to \$800 a gram.

19 GRAND JUROR: You also mentioned that you called Lynn to

20 try and borrow money from her to obtain counsel?

21 THE WITNESS: Right.

22 GRAND JUROR: Wouldn't that be in hinting in anyway that

23 you're in trouble of some sort, and that you have to --

24 THE WITNESS: No, because I'm not the type of person who

25 gets into trouble, and they know that I would never stab them,

1 as far as that's concerned. But as far as this sealed case is
2 concerned, and me helping -- who is it exactly I'm helping?
3 The FBI?

4 MR. GLANG: The government.

5 THE WITNESS: The government. Well, one of the
6 government agents. Okay.

7 GRAND JUROR: So if Lynn asks what's the money for,
8 you're going to tell her it's for --

9 THE WITNESS: It's for me to get my friends out of
10 incarceration, to seek counsel for them. I told her it was
11 for myself as well, too, so we could all be under one counsel.

12 GRAND JUROR: And counsel for what?

13 THE WITNESS: For defending us, for when court came up.

14 GRAND JUROR: For this, for the drug charges, right?

15 THE WITNESS: Right.

16 GRAND JUROR: So then Lynn would know that you're --

17 THE WITNESS: She knows that I was arrested, but she also
18 knows that I got off. Everyone on this island knows I was
19 arrested.

20 GRAND JUROR: I don't know.

21 THE WITNESS: It's on KUAM. I mean everybody knows.
22 They're talking about it at the banks and things like that.
23 This is a very small island.

24 MR. GLANG: So what they don't know is that you've
25 pleaded guilty?

1 THE WITNESS: What they don't know is that.
2 MR. GLANG: Very few people know that, right?
3 THE WITNESS: I don't know. I haven't come across that
4 part yet.
5 (Grand juror raises hand.)
6 THE WITNESS: Yes?
7 GRAND JUROR: Do you really -- do you trust Lynn to the
8 point -- to that extent?
9 THE WITNESS: To lend me money?
10 GRAND JUROR: Uh-huh?
11 THE WITNESS: She could very well. I mean she carries
12 \$10,000 around.
13 GRAND JUROR: I know she could, but I'm asking, do you
14 feel confident that she would do this?
15 THE WITNESS: Give me money?
16 GRAND JUROR: That amount, yes?
17 THE WITNESS: Yeah. She has before.
18 GRAND JUROR: Is the Attractions -- I'm sure it's tainted
19 by this?
20 THE WITNESS: As far as the public?
21 GRAND JUROR: Uh-huh?
22 THE WITNESS: More so by the gay public.
23 (Interruption at the door.)
24 MR. GLANG: Excuse me a second.
25 (Mr. Glang leaves the room.)

1 (Pause in proceedings.)
2 (Mr. Glang re-enters the room.)
3 GRAND JUROR: So the business, is it going to go on as
4 usual, or are you going to leave island?
5 THE WITNESS: Well, I can't leave island, and the
6 business will continue.
7 GRAND JUROR: Once all this is over and behind you --
8 THE WITNESS: Once it's all over and behind? It's never
9 going to be over, because people still keep talking, and I
10 still have that stigma.
11 GRAND JUROR: So you're going to remain on Guam?
12 THE WITNESS: Not until death but at least for awhile,
13 for at least six years; that's how long my lease is.
14 MR. GLANG: Any other questions?
15 (No response from the grand jurors.)
16 MR. GLANG: There don't appear to be anymore questions.
17 Mr. Lee, thank you for coming in today to testify.
18 You're free to step down. Don't discuss your testimony with
19 anyone. As you know this matter is very secret and
20 confidential, and that's true for everybody here. So you're
21 free to leave.
22 The grand jury, I've just received a notice from
23 the clerk that the judge has left, so what's going to happen
24 is the court wants you all to vote, and as soon as you have
25 reached decisions, then the foreperson is instructed --

1 himself, I suppose -- to return at 8:30 tomorrow morning and
2 make a report to the judge.

3 GRAND JURY FOREPERSON: Not me again.

4 (Pause in proceedings.)

5 (The witness leaves the room.)

6 MR. GLANG: For the record then, it's July 12, the
7 witness has just left the Grand Jury Room, it's 5:13 p.m., and
8 for the record the indictments have been circulated, and I'll
9 be leaving at this time for you to vote.

10 Off the record.

11 (End proceedings.)

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